Statement of Chairman Fred Upton
Subcommittee on Telecommunications and the Internet
"Public Safety Communications from 9/11 to Katrina:
Critical Public Policy Lessons"
September 29, 2005

Good afternoon.   Today's hearing is entitled "Public Safety

Communications from 9/11 to Katrina: Critical Public Policy Lessons"

which is designed to explore the issues of interoperability as they relate to

our heroic first responders and public safety organizations.

Interoperability is, at its core, the ability for various public safety

groups to communicate with each other. To best equip our nation's first

responders to do their job, they must be able to communicate with one

another, not just between fire, police, and EMS within one jurisdiction, but

also among local, state, and federal jurisdictions.

During any disastrous event, it is our nation's first responders who

answer the call of duty. As citizens are forced to evacuate to protect

themselves, it is our nation's first responders who run the opposite direction

-- into harm's way. For this very reason, interoperable communications are

vitally important. For instance, on the morning of September 11th, 2001,

New York police officers were able to hear the radio warnings from a

helicopter that the North Tower of the World Trade Center was glowing red, and most of the police officers exited the building safety – while dozens of firefighters, who could not hear these warnings, tragically perished when the tower collapsed. The radio communications of the police was not compatible with the system that the fire department was using, consequently, no warnings could be heard, and many lives were lost.

We were faced with some horrible lessons on 9/11, and we are here today to examine another disaster, Hurricane Katrina. Crisis communications during both of these tragic events failed. There is no doubt that achieving interoperability throughout our nation has proven to be a monumental, and multi-faceted, challenge and there are a number of reasons for this. The two problems I view as most important include the availability of spectrum and funding issues.

Back in 1997, Congress directed 24 Megahertz of spectrum in the Upper 700 Megahertz band to be allocated to public safety. However, that spectrum is currently occupied by broadcasters, and will be, until the transition to digital television is complete. Chairman Barton and I have spent countless hours working to free that valuable spectrum for pubic safety

by crafting legislation setting a hard date for spectrum return. This is a vital and necessary step that must occur to make interoperability a reality and we are committed to making it happen – sooner rather than later.

Beyond additional spectrum, to replace old and antiquated equipment is another challenge for cash-strapped State and local governments. According to information collected from grantees, total State expenditures for interoperable communications projects from Department of Homeland Security grant programs totaled nearly a billion dollars in fiscal year 2004 alone. Despite such large sums, Hurricane Katrina showed us that we are still well behind the curve. What will it take to make interoperability a reality? How much more time and how much more money do we need to spend to make interoperability seamless? We cannot sit back for another natural disaster or terrorist attack to strike. It's been 4 years since the attacks of 9-11, and as Katrina made us all acutely aware, sadly, we are far from where we need to be.

But let me be clear – I recognize that this is a far bigger problem than simply a lack of funds or a lack of new equipment. Thousands of shiny new radios will not fix the problem if we don't have a strategic plan that allows

all of these new radios to interact with each other. We need coordination

among government at all levels to ensure the equipment purchases of one

municipality work with the jurisdiction next door. We need a national vision

for funding, equipment and technology. I plan to ask all of the witnesses

here today, who will fill that leadership vacuum? These are all questions we

need to answer, we must answer, to ensure our first responders can do their

job. This is literally, a matter of life and death.

Finally, I'd like to welcome FCC Chairman Kevin Martin to our

Committee – this is the first time he's appeared before us in his new capacity

as Chairman. And thank you to each of the witnesses for being here today.

I look forward to hearing from all of you and learning the answers to my

questions.